TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

January 30, 2002 LB 95

tob difficult for me. If she had stood on the floor and said she saw no sense in the amendment, it has no validity, then I could offer arguments to try to persuade her and show her the light. But when she begins by saying that there may be validity but she cannot accept it, that puts me in the position of trying to break down an open door. That's very difficult to do. Nevertheless, I must push on and try to enlighten my colleagues, since the introducer of the bill is going to be obdurate, unyielding, wareasonable, and rough. If that lady in Britain, who is the prime minister, named Margaret Thatcher, is the "iron lady", my opponent is the "titanium lady". Members of the Legislature, here's what I'm doing, and I'm going to give you some information from what we did earlier. In Senator Dierks' bill, he talked about definitions, but Senator Dierks did not say these terms will have a meaning as determined by the Department of Agriculture in rules and regulation. Dierks' bill says agricultural tenant means any public warehouse licensee as defined in Section such-and-such, any livestock auction market as defined in Section such-and-such. I don't care if you don't adopt this amendment. You will just have created an unconstitutional bill, and the liquor industry will be happy because they think they've got something because they whipped Senator Chambers, but they won't whip the court. Senator...I'm...well, she's busy. I will say my opponent on this bill saw me crushed on a bill that dealt with so-called late-term abortion. Everybody who voted...forty-something senators voted for that bill, I was the only one against it. But you know who I...who I had on my side? The Federal District Court, the Eighth Circuit Court of Appeals, then U.S. Supreme Court. And I think the U.S. Supreme Court plus one senator whips any Legislature, even if there are 48 of them who are obdurate. So you can put things in a bill, and you can refuse to take them out because I will not promise to support the bill, but do you hurt me? Absolutely not. When I have so much influence in your thinking, and that of the liquor industry, that I will get the Legislature to vote against its own interests, that makes me the owner of the Legislature. What I think is more important to them than the oath they swore as legislators to do the job that a legislator ought to do. you know that a provision in a bill is unconstitutional and you're going to hold onto that because you cannot get me to say